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VIA FEDERAL EXPRESS

Food and Drug Administration
555 Winderley Pl., Ste. 200
Maitland, FL 32751

WARNING LETTER

FLA-00-09

November 16, 1999

Morgan Darden
Chief Operating Officer
Sands & Company, Inc.
1633 Sands Place
Marietta, Georgia 30067

Dear Mr. Darden:

We inspected your firm, located at 3701 St. Valentine Way, Orlando, Florida, on June 13, 1999 and found that you have serious deviations from the Seafood HACCP regulations (21 CFR Part 123). These deviations cause your ready-to-eat tuna salad sandwiches to be in violation of Section 402(a)(4) of the Federal Food, Drug, and Cosmetic Act. You can find this Act and the Seafood HACCP regulations through links in FDA's home page at www.fda.gov.

The deviations are as follows:

You must have a written HACCP plan to control any food safety hazards that are reasonably likely to occur, in order to comply with 21 CFR 123.6(b). However, your firm does not have a HACCP plan for your tuna salad sandwiches to control the potential food safety hazards of pathogens and scombrototoxin (histamine) formation.

You must adequately monitor sanitation conditions and practices during processing, in order to comply with 21 CFR 123.11(b). However, your firm is not monitoring plant water safety, cleanliness of food contact surfaces, prevention of cross-contamination, maintenance of hand washing, hand sanitizing, and toilet facilities, protection from adulterants, proper labeling, storage and use of toxic compounds, control of employee health conditions, and exclusion of pests with sufficient frequency to ensure control.

You must have sanitation control records that document the monitoring and correction of sanitation conditions, in order to comply with 21 CFR 123.11(c). However, sanitation control records are not being maintained by your firm.

Morgan Darden
Page 2
November 16, 1999

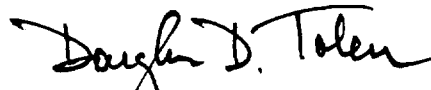
These deviations were previously brought to your attention in a copy of our letter issued to your regional manager, Gary M. Conyer, on October 8, 1998. We may take further action if you do not promptly correct these violations. For instance, we may take further action to seize your product and/or enjoin your firm from operating.

Please respond in writing within three (3) weeks from your receipt of this letter. Your response should outline the specific things you are doing to correct these deviations. You may wish to include in your response documentation such as copies of your HACCP plan, sanitation control records or other useful information that would assist us in evaluating your corrections. If you cannot complete all corrections before you respond, we expect that you will explain the reason for your delay and state when you will correct any remaining deviations.

This letter may not list all the deviations at your facility. You are responsible for ensuring that your firm operates in compliance with the Act, the Seafood HACCP regulations and the Good Manufacturing Practice regulations (21 CFR Part 110). You also have a responsibility to use procedures to prevent further violations of the Act and all applicable regulations.

Please send your reply to the Food and Drug Administration, Attention: Jimmy E. Walthall, Compliance Officer, 555 Winderley Place, Suite 200, Maitland, Florida 32751. If you have questions regarding any issue in this letter, please contact Mr. Walthall at (407) 475-4731.

Sincerely,



Douglas D. Tolen
Director, Florida District

cc: Gary M. Conyer
Regional Manager
Sands & Company, Inc.
3701 St. Valentine Way
Orlando, Florida 32811